

REMARKS

Applicant has carefully reviewed the Office Action mailed March 19, 2007 and offers the following remarks to accompany the above amendments.

Status of the Claims

Claims 1-15 and 17-20 are pending. Claims 8, 10, 11, and 16-19 have been cancelled. Claims 21-27 have been added. Accordingly, claims 1-7, 9, 12-15, and 20-27 are pending.

Rejection Under 35 U.S.C. § 102(b) – Kerschenbaum et al.

Claims 1-2, 7, 8, 11-15, and 20 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,246,258 to Kerschenbaum et al. (hereinafter “Kerschenbaum”). Applicant respectfully traverses. For the Patent Office to prove anticipation, each and every element of the claims must be present in the reference. Furthermore, the elements of the reference must be arranged as claimed. MPEP § 2131.

Applicant has amended independent claim 1 to further clarify that the present invention provides a latching mechanism including a deadlock for engaging a bolt in a locked position and electronic circuitry including an antenna for receiving an authorization signal from a smart card. Additionally, a transceiver processes the authorization signal received by the antenna and a control means housed within the lock operates the latching mechanism in response to the processed authorization signal. Applicant respectfully submits that this combination of elements is not taught or suggested within Kerschenbaum. Accordingly, the rejection of claim 1 should be withdrawn for at least these reasons.

Claim 20 has been amended to clarify that the wake up mode is activated in response to operation of the latching mechanism. No new matter has been added and support for this amendment may be found within the present Application. (See Specification, p. 7, l. 22 through p. 8, l. 5).

Claims 2, 7, 12-15, and 20 depend, either directly or indirectly, upon claim 1 and the rejection of claims 2, 7, 12-15, and 20 should be withdrawn for at least the same reasons as claim 1. Applicant respectfully submits that claims 1, 2, 7, 12-15, and 20 are in condition for allowance and notice of the same is requested at the earliest possible date.

Rejection Under 35 U.S.C. § 103(a) – Kerschenbaum

Claims 3 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kerschenbaum. Applicant respectfully traverses. For the Patent Office to establish *prima facie* obviousness, the Patent Office must show where each and every claim element can be found in the combination of references.

Claims 3 and 6 depend from claim 1. Accordingly, the rejection of claims 3 and 6 should be withdrawn for at least the same reasons as claim 1. Thus, it is not necessary to address any other points regarding the Patent Office's rejection. Applicant reserves the right to provide additional arguments against the rejection of claims 3 and 6 in the future. Applicant respectfully submits that claims 3 and 6 are in condition for allowance and notice of the same is requested at the earliest possible date.

Rejection Under 35 U.S.C. § 103(a) – Kerschenbaum and Gartner

Claims 4 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kerschenbaum in view of U.S. Patent No. 4,509,350 to Gartner (hereinafter "Gartner"). Applicant respectfully traverses. The standards for obviousness are set forth above.

Claims 4 and 5 depend from claim 1. Accordingly, the rejection of claims 4 and 5 should be withdrawn for at least the same reasons as claim 1. Thus, it is not necessary to address any other points regarding the Patent Office's rejection. Applicant reserves the right to provide additional arguments against the rejection of claims 4 and 5 in the future. Applicant respectfully submits that claims 4 and 5 are in condition for allowance and notice of the same is requested at the earliest possible date.

Rejection Under 35 U.S.C. § 103(a) – Kerschenbaum and Nixon

Claims 9, 10, and 17-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kerschenbaum in view of U.S. Patent No. 7,073,357 B2 to Nixon, Jr. (hereinafter "Nixon"). Applicant respectfully traverses. The standards for obviousness are set forth above.

Claims 10 and 17-19 have been cancelled. Claim 9 depends from claim 1. Accordingly, the rejection of claim 9 should be withdrawn for at least the same reasons as claim 1. Thus, it is not necessary to address any other points regarding the Patent Office's rejection. Applicant reserves the right to provide additional arguments against the rejection of claim 9 in the future.

Applicant respectfully submits that claim 9 is in condition for allowance and notice of the same is requested at the earliest possible date.

New Claims

Claims 21-27 have been added. No new matter has been added and support for claims 21-27 may be found within the application. (See Specification, p. 8, l. 14, p. 2, ll. 22-23, p. 7, l. 9, p. 10, l. 20, p. 9, ll. 14-15, p. 9, ll. 22-23, and p. 10, ll. 1-2). Claims 21-27 depend, either directly or indirectly, from claim 1. Accordingly, claims 21-27 are allowable for at least the same reasons as claim 1. Applicant respectfully submits that claims 21-27 are in condition for allowance and notice of the same is requested at the earliest possible date.


Conclusion

Applicant requests reconsideration of the rejections in light of the amendments and remarks presented herein. Applicant earnestly solicits claim allowance at the Examiner's earliest convenience.

Respectfully submitted,

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Date: June 19, 2007
Attorney Docket: 1031-003